

INDIA, LARGELY A COUNTRY OF IMMIGRANTS

Relevant for: Developmental Issues | Topic: Rights & Welfare of STs, SCs, and OBCs - Schemes & their Performance, Mechanisms, Laws Institutions and Bodies

Attn Photo Editor: Birbhum: Santhal (Adivasis) woman sitting at the door step of the house at a village near Shantiniketan in Bholpur. Photo : Subir Roy

*If North America is predominantly made up of new immigrants, India is largely a country of old immigrants, which explains its tremendous diversity. It follows that tolerance and equal respect for all communities and sects are an absolute imperative if we wish to keep India united. If it was believed at one time that Dravidians were the original inhabitants of India, that view has since been considerably modified. Now the generally accepted belief is that the pre-Dravidian aborigines, that is, the ancestors of the present tribals or Adivasis (Scheduled Tribes), were the original inhabitants. This is the thesis put forward in a judgment delivered on January 5, 2011 by a Supreme Court of India Bench comprising **Justice Markandey Katju** and **Justice Gyan Sudha Misra**. This historical disquisition came in Criminal Appeal No. 11 of 2011, arising out of Special Leave Petition No. 10367 of 2010 in Kailas & Others versus State of Maharashtra TR. Taluka P.S .*

The appeal was filed against a judgment and order passed by the Aurangabad Bench of Bombay High Court. The Supreme Court Bench saw in the appeal a typical instance of how many Indians treat the Scheduled Tribes, or Adivasis. The case related to Nandabai, 25, belonging to the Bhil tribe, a Scheduled Tribe in Maharashtra. She was beaten, kicked and stripped, and then paraded naked on the village road, over an alleged illicit relationship with a man from an upper caste. The four accused were convicted by the Additional Sessions Judge, Ahmednagar, under different Sections of the Indian Penal Code and sentenced to rigorous imprisonment for six months, one year and three months in three instances and to pay a fine in each. They were convicted under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and sentenced to rigorous imprisonment for one year and a fine. But the High Court acquitted them of the charges under the SC/ST Act, while confirming the convictions under the IPC provisions. Each was directed to pay Rs. 5,000 to the victim.

Excerpts from the Supreme Court judgment (the full text is at www.thehindu.com).

The Bhils are probably the descendants of some of the original inhabitants of India known as the 'aborigines' or Scheduled Tribes (Adivasis), who now comprise only about eight per cent of the population of India. The rest, 92 per cent, consists of descendants of immigrants. Thus India is broadly a country of immigrants, like North America.

While North America (USA and Canada) has new immigrants who came mainly from Europe over the last four or five centuries, India is a country of old immigrants in which people have been coming in over the last ten thousand years or so. Probably about 92 per cent of the people living in India today are descendants of immigrants, who came mainly from the North-West, and to a lesser extent from the North-East. Since this is a point of great importance for the understanding of our country, it is necessary to go into it in some detail.

People migrate from uncomfortable areas to comfortable areas. This is natural because everyone wants to live in comfort. Before the coming of modern industry there were agricultural societies everywhere, and India was a paradise for these because agriculture requires level land, fertile soil, plenty of water for irrigation and so on, which were in abundance in India. Why should anybody living in India migrate to, say, Afghanistan, which has a harsh terrain, rocky and

mountainous and covered with snow for several months in a year when one cannot grow any crop? Hence almost all immigrations and invasions came from outside into India (except those Indians who were sent out during British rule as indentured labour, and the recent migration of a few million Indians to the developed countries for job opportunities). There is perhaps not a single instance of an invasion from India to outside India.

India was a veritable paradise for pastoral and agricultural societies because it has level and fertile land, with hundreds of rivers, forests, etc., and is rich in natural resources. Hence for thousands of years people kept pouring into India because they found a comfortable life here in a country which was gifted by nature.

As the great Urdu poet Firaq Gorakhpuri wrote: *Sar Zamin-e-hind par aqwaam-e-alam ke firaq/ Kafila guzarte gae Hindustan banta gaya* ("In the land of Hind, the caravans of the peoples of the world kept coming in and India kept getting formed").

Who were the original inhabitants of India? At one time it was believed that the Dravidians were the original inhabitants. However, this view has been considerably modified subsequently, and now the generally accepted belief is that the original inhabitants of India were the pre-Dravidian aborigines, that is, the ancestors of the present tribals or Adivasis (Scheduled Tribes).

The Cambridge History of India (Volume I), *Ancient India*, says:

"It must be remembered, however, that, when the term 'Dravidian' is thus used ethnographically, it is nothing more than a convenient label. It must not be assumed that the speakers of the Dravidian languages are aborigines. In Southern India, as in the North, the same general distinction exists between the more primitive tribes of the hills and jungles and the civilised inhabitants of the fertile tracts; and some ethnologists hold that the difference is racial and not merely the result of culture...

"It would seem probable, then, that the original speakers of the Dravidian languages were outsiders, and that the ethnographical Dravidians are a mixed race. In the more habitable regions the two elements have fused, while representatives of the aborigines are still in the fastnesses (in hills and forests) to which they retired before the encroachments of the newcomers. If this view be correct, we must suppose that these aborigines have, in the course of long ages, lost their ancient languages and adopted those of their conquerors. The process of linguistic transformation, which may still be observed in other parts of India, would seem to have been carried out more completely in the South than elsewhere.

"The theory that the Dravidian element is the most ancient which we can discover in the population of Northern India, must also be modified by what we now know of the Munda languages, the Indian representatives of the Austric family of speech, and the mixed languages in which their influence has been traced. Here, according to the evidence now available, it would seem that the Austric element is the oldest, and that it has been overlaid in different regions by successive waves of Dravidian and Indo-European on the one hand, and by Tibeto-Chinese on the other...

"At the same time, there can be little doubt that Dravidian languages were actually flourishing in the western regions of Northern India at the period when languages of the Indo-European type were introduced by the Aryan invasions from the north-west. Dravidian characteristics have been traced alike in Vedic and Classical Sanskrit, in the Prakrits, or early popular dialects, and in the modern vernaculars derived from them. The linguistic strata would thus appear to be arranged in the order-Austric, Dravidian, Indo-European.

“There is good ground, then, for supposing that, before the coming of the Indo-Aryans speakers the Dravidian languages predominated both in Northern and in Southern India; but, as we have seen, older elements are discoverable in the populations of both regions, and therefore the assumption that the Dravidians are aboriginal is no longer tenable. Is there any evidence to show whence they came into India?”

“No theory of their origin can be maintained which does not account for the existence of Brahui, the large island of Dravidian speech in the mountainous regions of distant Baluchistan which lie near the western routes into India. Is Brahui a surviving trace of the immigration of Dravidian-speaking peoples into India from the West? Or does it mark the limits of an overflow from India into Baluchistan? Both theories have been held; but as all the great movements of peoples have been into India and not out of India, and as a remote mountainous district may be expected to retain the survivals of ancient races while it is not likely to have been colonised, the former view would *a priori* seem to be by far the more probable.”

Thus the generally accepted view now is that the original inhabitants of India were not the Dravidians but the pre-Dravidian Munda aborigines whose descendants now live in parts of Chotanagpur (Jharkhand), Chhattisgarh, Orissa, West Bengal, etc., the Todas of the Nilgiris in Tamil Nadu, the tribals in the Andaman Islands, the Adivasis in various parts of India (especially in the forests and hills), for example the Gonds, Santhals, Bhils, etc.

These facts lend support to the view that about 92 per cent of the people living in India are descendants of immigrants (though more research is required).

It is for this reason that there is such tremendous diversity in India. This diversity is a significant feature of our country, and the only way to explain it is to accept that India is largely a country of immigrants.

There are a large number of religions, castes, languages, ethnic groups, cultures etc., in our country, which is due to the fact that India is a country of immigrants. Somebody is tall, somebody is short, some are dark, some are fair complexioned, with all kinds of shades in between, someone has Caucasian features, someone has Mongoloid features, someone has Negroid features, etc. There are differences in dress, food habits and various other matters.

We may compare India with China, which is larger both in population and in land area than India. China has a population of about 1.3 billion whereas our population is roughly 1.1 billion. Also, China has more than twice our land area. However, all Chinese have Mongoloid features; they have a common written script (Mandarin Chinese), and 95 per cent of them belong to one ethnic group, called the Han Chinese. Hence there is a broad (though not absolute) homogeneity in China.

On the other hand, India has tremendous diversity and this is due to the large-scale migrations and invasions into India over thousands of years. The various immigrants/invasers who came into India brought with them their different cultures, languages, religions, etc., which accounts for the tremendous diversity in India.

Since India is a country of great diversity, it is absolutely essential if we wish to keep our country united to have tolerance and equal respect for all communities and sects. It was due to the wisdom of our founding fathers that we have a Constitution which is secular in character, and which caters to the tremendous diversity in our country.

Thus it is the Constitution of India which is keeping us together despite all our tremendous diversity, because the Constitution gives equal respect to all communities, sects, lingual and

ethnic groups, etc. The Constitution guarantees to all citizens freedom of speech (Article 19), freedom of religion (Article 25), equality (Articles 14 to 17), liberty (Article 21), etc.

However, giving formal equality to all groups or communities in India would not result in genuine equality. The historically disadvantaged groups must be given special protection and help so that they can be uplifted from their poverty and low social status. It is for this reason that special provisions have been made in our Constitution in Articles 15(4), 15(5), 16(4), 16(4A), 46, etc., for the uplift of these groups. Among these disadvantaged groups, the most disadvantaged and marginalised in India are the Adivasis (STs), who, as already mentioned, are the descendants of the original inhabitants of India, and are the most marginalised and living in terrible poverty with high rates of illiteracy, disease, early mortality etc. Their plight has been described by this Court in *Samatha vs. State of Andhra Pradesh and Ors.* (AIR 1997 SC 3297, Para 12 to 15). Hence, it is the duty of all people who love our country to see that no harm is done to the Scheduled Tribes and that they are given all help to bring them up in their economic and social status, since they have been victimised for thousands of years by terrible oppression and atrocities. The mentality of our countrymen towards these tribals must change, and they must be given the respect they deserve as the original inhabitants of India.

The bravery of the Bhils was accepted by that great Indian warrior Rana Pratap, who held a high opinion of Bhils as part of his army.

The injustice done to the tribal people of India is a shameful chapter in our country's history. The tribals were called 'rakshas' (demons), 'asuras', and what not. They were slaughtered in large numbers, and the survivors and their descendants were degraded, humiliated, and all kinds of atrocities inflicted on them for centuries. They were deprived of their lands, and pushed into forests and hills where they eke out a miserable existence of poverty, illiteracy, disease, etc. And now efforts are being made by some people to deprive them even of their forest and hill land where they are living, and the forest produce on which they survive.

The well-known example of injustice to tribals is the story of Eklavya in the Adiparva of the Mahabharata. Eklavya wanted to learn archery, but Dronacharya refused to teach him, regarding him as lowborn. Eklavya then built a statue of Dronacharya and practised archery before the statue. He would have perhaps become a better archer than Arjun, but since Arjun was Dronacharya's favourite pupil Dronacharya told Eklavya to cut off his right thumb and give it to him as *guru dakshina* (gift to the teacher given traditionally by the student after his study is complete). In his simplicity Eklavya did what he was told.

This was a shameful act on the part of Dronacharya. He had not even taught Eklavya, so what right had he to demand *guru dakshina*, and that too of the right thumb of Eklavya so that the latter may not become a better archer than his favourite pupil Arjun?

Despite this horrible oppression on them, the tribals of India have generally (though not invariably) retained a higher level of ethics than the non-tribals. They normally do not cheat or tell lies, or commit other misdeeds, which many non-tribals do. They are generally superior in character to non-tribals.

It is time now to undo the historical injustice to them.

Instances like the one with which we are concerned in this case deserve total condemnation and harsh punishment.

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